

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Civil Law and Motion Tentative Rulings
Hon. Donald E. Shaver
Courtroom 8

627 W. 21st Street, Merced

April 14, 2015
8:15 a.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4240 or appear in person at the office of the unlimited civil clerk before 4:00 p.m. to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying CourtCall of your intent to appear does not satisfy the requirement of notifying the court.

Case No.	Title / Description
----------	---------------------

CV001763	Eugenio Gonzales Avina vs. Candelaria Larks, et al.
----------	-----------------------------------------------------

Review Hearing – Status of Settlement

Appearance required.

CV001798	Lisa Longnecker vs. Dunmore Development, et al.
----------	-------------------------------------------------

OSC re Dismissal

Appearance required.

CVM018764	Aaron Matthew Sisneros vs. Joseph Anthony Dinner, et al.
-----------	----------------------------------------------------------

Motion to Strike Portions of Complaint by Defendant Stacey Dominguez

The unopposed motion by defendant Stacey Dominguez to strike the claim for punitive damages at page 6, item 7 of the prayer is GRANTED. Defendant shall file her answer within ten days.

The prevailing party is directed to prepare a written order consistent with the Court's ruling for the Court's signature, pursuant to California Rules of Court, rule 3.1312, and to provide notice thereof to the opposing party/counsel as required by law and the California Rules of Court. The order is to be submitted directly to Hon. Donald E. Shaver, care of this court.

Motion to Strike Portions of Complaint by Defendant Joseph Dinner

Based in part on the representations by plaintiff's counsel at the case management conference on April 13, 2015 that plaintiff will drop the punitive damages claim, the unopposed motion by defendant Joseph Dinner to strike the claim for punitive damages at page 6, item 7 of the prayer is GRANTED. Defendant shall file his answer within ten days.

The prevailing party is directed to prepare a written order consistent with the Court's ruling for the Court's signature, pursuant to California Rules of Court, rule 3.1312, and to provide notice thereof to the opposing party/counsel as required by law and the California Rules of Court. The order is to be submitted directly to Hon. Donald E. Shaver, care of this court.

CVM019476 Wendy Chew vs. BSV, Inc.

Motion to Compel Further Responses to Form Interrogatories

Plaintiff Wendy Chew's motion to compel defendant BSV, Inc. to provide further response to Form Interrogatory 15.1 is DENIED. Although defendant does not justify its objection on the ground of burdensomeness and oppression, defendant's amended response is sufficient. The Court finds substantial justification for the motion and therefore declines to impose monetary sanctions.

CVM019496 Gurvinder S. Chahal vs. Keith Young, et al.

OSC Why Monetary Sanctions Should Not Be Imposed Against Attorney Robert McCann for Failure to Appear at CMC and Failure to File CMC Statement

Appearance Required.

CVM019639 Jermell Ramos vs. County of Merced, et al.

OSC Why Monetary Sanctions Should Not Be Imposed Against Attorney Brandon Carr for Failure to Appear at CMC and Failure to File CMC Statement

The Court has reviewed the declaration of attorney Brandon Carr and accepts his explanation for his failure to appear and file a CMC statement. The OSC is discharged and the hearing is vacated. A case management conference is scheduled for June 1, 2015 at 10:00 a.m. in courtroom 8. The court processing clerk is directed to send notice of the CMC to the parties.

15CV-00505 Petition of John Ferreira

Petition for Name Change

Appearance Required.

15CV-00561 Petition of Arturo Raul-Rios

Petition for Name Change

Appearance Required.

15CV-00602 Petition of Claudia Arroyo

Petition for Name Change

Appearance Required.
